



## **Questions and Answers:**

### **90-day finding on petition to list the lake sturgeon**

#### **What action is the Service taking?**

The Service has reviewed a petition to list the lake sturgeon as endangered or threatened under the Endangered Species Act. We have found that the petition, submitted by the Center for Biological Diversity, provides substantial information that listing may be warranted. The Service will conduct a thorough species status assessment to determine whether or not we should propose the lake sturgeon for listing under the ESA. We will begin collecting information from species experts, state and tribal agencies and other sources that will contribute to our assessment of the lake sturgeon.

#### **What is a 90-day finding?**

Under the Endangered Species Act, anyone may petition the Service to add a species to the List of Endangered and Threatened Animals and Plants. The Service reviews petitions and determines whether the petition presents substantial information that listing may be warranted or whether the petition does not provide information indicating the species may warrant listing. The Service found the petition to list the lake sturgeon contains substantial information.

#### **Does this finding mean lake sturgeon are now protected under the Endangered Species Act?**

No. Substantial 90-day findings represent one early step in a rigorous process by which the Service determines whether or not a species warrants listing under the ESA. The standard for a positive 90-day finding is relatively low, requiring only that the petitioner provide substantial information that listing *may* be warranted. The standard for a positive 12-month finding (the next step in the process) is much higher, involving an in-depth status review and analysis using the best available science and information.

#### **What is a lake sturgeon?**

Lake sturgeon (*Acipenser fulvescens*) is a fish occurring across temperate-zone freshwater systems of North America from Hudson Bay and the Great Lakes, through the Mississippi River drainages. Lake sturgeon prefer sand or gravel habitat on the bottom of a riverbed or lake. Populations are declining throughout the species' native range, and several states list the lake sturgeon as a species of concern, threatened or as endangered. There are several reasons for this decline, including threats associated with dams and hydroelectric facilities, dredging and

channelization, contaminants and habitat fragmentation, and impacts from invasive species. The lake sturgeon has been negatively affected by parasitism by sea lamprey in Lake Champlain.

Lake sturgeon are slow-moving fish but will migrate up rivers during spawning season. Female sturgeons reproduce between the ages of 20 and 26 years. Males usually mature between 8 and 17 years old. Although the male sturgeon's typical lifespan is 50 to 60 years, female sturgeon can live up to 150 years. Lake sturgeon can weigh more than 300 pounds and reach a length of 9 feet.

Lake sturgeon were once considered a nuisance fish because they damaged fishing gear. They became commercially important in the late 1800s, harvested for their meat and eggs.

Unsustainable harvest, degraded water quality and construction of dams that disrupt their movements have combined to cause sturgeon populations to decline throughout their range.

### **What is the next step the Service will take with lake sturgeon?**

With completion of the 90-day finding, the Service will begin work on a 12-month finding on the petition to list the lake sturgeon. The 12-month finding is based on a thorough evaluation of the lake sturgeon's status, threats and other factors that will help us determine whether the lake sturgeon should be proposed for Endangered Species Act protection. We ask for information about the lake sturgeon from states, tribes, species experts, conservation groups and others, as we conduct a species status assessment. With completion of a 12-month finding, the Service will publish either a not warranted finding or a proposed listing rule, concurrent with a proposed critical habitat designation, if prudent and determinable.

Before beginning the species status assessment, the Service must first determine the lake sturgeon's priority within our national listing workplan, a multi-year schedule that encompasses all species awaiting a 12-month finding.

### **How does the Service prioritize species awaiting status assessments?**

The Service maintains a [national listing workplan](#), which helps us prioritize our workload based on the needs of species, while providing greater clarity and predictability about the timing of listing determinations to state wildlife agencies, non-profit organizations, and other stakeholders and partners. The goal is to encourage proactive conservation so that federal protections are not needed in the first place. The workplan represents the Service's conservation priorities based on our review of scientific information.

### **What is a species status assessment, and how does it help the Service make decisions under the Endangered Species Act?**

[The Species Status Assessment \(SSA\) Framework](#) is an analytical approach to providing foundational science for informing all Endangered Species Act decisions. An SSA is a focused, repeatable, and rigorous scientific assessment, usually conducted at or prior to the 12-month finding stage, but it can be initiated at any time. The SSA is designed to "follow the species" in the sense that the information on the biological status is available for conservation use and can be

updated with new information. The SSA provides a single source for species' biological information needed for all ESA decisions (e.g., listing, consultations, grant allocations, permitting, habitat conservation plans and recovery planning). The biological analysis and resulting science-focused assessment allow for state, tribal and partner engagement in the science used to inform ESA decisions. Early identification of what factors most influence the species' condition affords timely opportunities to work with partners to implement conservation efforts in advance of potential ESA decisions.

**Is the Service collecting information even though the status assessment hasn't begun?**

Yes. To ensure that our status review is comprehensive, we are soliciting information from state and federal natural resource agencies, tribes, universities and all interested parties regarding the lake sturgeon.

Electronically:

- 1) Go to the Federal eRulemaking Portal: <http://www.regulations.gov>.
- 2) In the Search box, enter the Docket Number for this action: FWS–R3–ES–2018–0110
- 3) You may click on the document title to open the Federal Register notice, or you may submit a comment by clicking on the “Comment Now!” button.

U.S. mail or hand-delivery:

Public Comments Processing Attn: Docket No. FWS–R3–ES–2018–0110  
U.S. Fish and Wildlife, MS: BPHC  
5275 Leesburg Pike  
Falls Church, VA 22041-3803

**Where can I get more information about the Endangered Species Act and the listing process?**

Details about the Endangered Species Act, the listing process and other information is available at <https://www.fws.gov/endangered/what-we-do/listing-overview.html>

**Where can I get more information about the lake sturgeon 90-day finding?**

Visit <https://www.fws.gov/midwest/endangered> for more information.